REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The rejection of claims 1-5 and 9-16 under 35 U.S.C. §102 as allegedly anticipated by Bjorn '987 is respectfully traversed.

The applicant has described methods and apparatus allowing a user to retrieve a pre-stored electronic file without having to call it up or search for it by using e.g. keywords, or indeed without even being sure that the pre-stored file (still) exists within a computer-based system (page 1 line 7 to page 2 line 10).

Instead of having to use a software command, the user uses a physical object, which in the description is referred to as a memento (page 1 line 13), souvenir or token (page 5 line 5). The token (memento) is a physical item (e.g. a seashell) which for the user triggers memories (e.g. of each holiday). Where the user has electronic files, such as a digital photograph of the beach holiday, these can be pre-stored in the system.

The token's physical characteristics are used to create an electronic identity which can be stored and used in an electronic computer-based system (page 6 lines 16 to 25). A digital photograph may, for example, be linked to the electronic identity of the seashell, so that the user can call up the digital photograph simply by using the seashell, without having to use keywords or other conventional inputting methods.

Thus the present invention mirrors the link between, for example, a seashell and the user's intangible memories, by creating a link between the seashell and a digital

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photograph of, for example, a beach from which the seashell was taken. Both the token and the electronic files are entities which evoke, and link the user back to, an intangible memory (token: page 1 lines 10 to 14; electronic file: page 1 lines 7 and 8).

In summary, the electronic token identity permits an intangible memory to be called up and to be "played back" or displayed, via the intermediaries of a physical token and an electronic file. The relationship between the electronic token identity and the memory can be depicted in the following manner:

Memory → token → token identity data → stored files

Bjorn describes a fingerprint recognition system. It is described, in paragraphs 2, 3 and 4, that using a fingerprint as a means of identification is a superior alternative to digital identification keys or passwords, which can be lost or stolen. This is owing to fingerprints' characteristic of being "unique to an individual person, requiring no memorization, and being relatively difficult to appropriate" (paragraph 4).

These are characteristics which are missing in the "token memento" of the present application. As explained by applicant on page 5 line 33 to page 6, a token memento is generally a three-dimensional object for which an electronic "token identity" may be generated, the identity not being a specific aspect of the token memento.

According to Bjorn (e.g. paragraph 10), a finger is placed on a sensor plate, and the fingerprint then digitized. The resulting digitized fingerprint can then subsequently be used for identification purposes. A fingerprint thus bears the following relationship to the individual's identity in the following manner:

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Individual → fingertip* → digitalized fingerprint [→ stored files]

In the office action, the Examiner has drawn an analogy between a "fingerprint" (by which it is assumed means the physical fingerprint pattern on a fingertip*) and a token. It must be this which is "captured and digitized" in step 525 in the flow chart of Figure 5.

A fingertip/fingerprint is a body part, and is not a "token" within the meaning of the present application. It is an essential feature of systems based on the recognition of fingerprints and other biometric data that the fingerprint, etc. retains its integrity, i.e. the fingerprint cannot be made to point to any other individual.

The token of the present invention, on the other hand, is not so constrained. To illustrate how a fingertip cannot serve as a token identity, please see page 14 lines 4 to 30 of the applicant's specification. In one implementation of the invention, several parties could have identical or similar tokens to point to the same set of pre-stored files. So for instance, where a token has been lost (as would be unlikely in the case of a fingertip), another may be used to obtain a match to retrieve the stored electronic files. In another example, a seashell of the same general type, shape and size could be used by a different person or persons to point to the same "memory" of a beach holiday.

This suggests that a token is not a completely unique item in the same way as a fingertip or fingerprint, as it does not perform the same function. In the application described in the specification using a seashell, a pipe and a train ticket, a number of

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tokens can be used to more complex effect. This is impossible to achieve with fingerprints.

Fingerprint data and token identities are thus simply not equivalent. Bjorn also occupies a completely different technical field from the present application.

The rejection of claims 6-8 under 35 U.S.C. §103 as allegedly being made "obvious" based on Bjorn in view of Katsumura '738 is also respectfully traversed.

Fundamental deficiencies of Bjorn have already been noted above with respect to parent claim 1. Katsumura does not supply those deficiencies.

Katsumura describes a system for use in a cargo transportation system, where a digital photo is taken of the object e.g. a bag, and then the processor identifies certain features of the bag according to pre-set parameters (e.g. color, size, pattern). The features are then recorded in a searchable database, allowing a user to manually search through and to find the bag using each feature.

The step of getting a computer to read from a digital photo of the bag may seem similar to the present invention for creating an ID for the token. However the method of Katsumura involves the reduction of the physical bag to a loose bundle of separate features (blue, large, etc.) to allow searching against each of those features *separately*. The token identity of the present method, on the other hand, is a single, composite, electronic identity for the token which is a *combination* of all its features as an complex object identification profile (OIP): page 6 lines 22 to 23. Moreover, the method of Katsumura involves manual keying in of "character string data and commands" in the

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identification of the bag. This is clearly distinguishable from the present invention where it is a key feature that there is no separate labelling or other identification of the token.
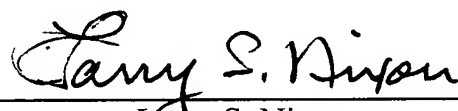
Thus, the presently claimed invention is patentably distinguishable from Katsumura at least insofar that Katsumura fails to disclose or suggest the creation of an identity for the bag, beyond simply measuring a visual characteristic of the bag. Furthermore, the retrieval aspect of the invention is completely distinguishable from the method described in Katsumura.

This being the case, it is not possible to combine Bjorn and Katsumura to obtain the present invention. Furthermore, the cited documents describe endeavors in different fields, and there is nothing in either to suggest or motivate the combination the Examiner suggests.

According, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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